

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED

08 JAN 22 PM 3:50

CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

REMSEN BENEDICT

B

DER


WHA

DEFENDANT.

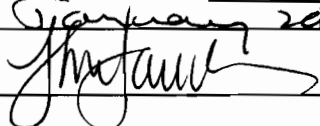
INDICTMENT

Title 18 U.S.C. § 2252(a)(2) - Receipt of Child
Pornography
Title 18 U.S.C. § 2252(a)(4)(B) - Possession of Child
Pornography

A true bill.


Foreman

Filed in open court this 22 day of

January 2008

Clerk

Bail, \$ no bail arrest process

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**18 U.S.C. § 2252(a)(2)– Receipt of
Child Pornography; 18 U.S.C. §
2252(a)(4)(B)– Possession of Child
Pornography☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

See Attached Penalty Sheet

SEALED**BY COURT CLERK****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI - SA Liz Castaneda and Novato Police Department - Off. Melissa Hinkle

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

Joseph P. Russoniello

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Denise Marie Barton

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

08 JAN 22 PM 3:50

DEFENDANT - U.S.RICHARD W. WILKINS
CLERK, U.S. DISTRICT COURT
REMSEN-BENEDICT DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed?☐ Yes
☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET

UNITED STATES V. REMSEN BENEDICT

Count 1: 18 U.S.C. § 2252(a)(2): Receipt of Child Pornography

Class C Felony,

Maximum Prison Term of Twenty Years

Mandatory Minimum Prison Term of Five Years

Maximum Fine of \$250,000

Maximum of Lifetime Supervised Release

Registration as a Sex Offender

Mandatory Special Assessment of \$100

Count 2: 18 U.S.C. § 2252(a)(4)(B): Possession of Child Pornography

Class C Felony

Maximum Prison Term of Ten Years

Maximum Fine of \$250,000

Maximum of Lifetime Supervised Release

Registration as a Sex Offender

Mandatory Special Assessment of \$100

ORIGINAL

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

FILED

68 JAN 22 PM 3:50

RICHARD H. BELLING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**SEALED
BY COURT ORDER**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WHA

UNITED STATES OF AMERICA,

Plaintiff,

v.

REMSEN BENEDICT,

Defendant.

CR No. 08

0033

VIOLATIONS: 18 U.S.C. § 2252(a)(2) –
Receipt of Child Pornography; 18 U.S.C. §
2252(a)(4)(B) – Possession of Child
Pornography

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography)

Beginning on or about August 24, 2006 and continuing until on or about July 12, 2007, in the
Northern District of California, the defendant,

REMSEN BENEDICT,

did knowingly receive at least one visual depiction that had been mailed, shipped, and
transported in interstate and foreign commerce, by computer, knowing that the production of

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INDICTMENT

1 such visual depiction involved a minor engaging in sexually explicit conduct and that such visual
2 depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(2).

3
4 COUNT TWO: (18 U.S.C. § 2252(a)(4)(B) - Possession of Child Pornography)

5 On or about July 31, 2007, in the Northern District of California, the defendant,
6 REMSEN BENEDICT,
7 did knowingly possess at least one matter, namely an HP Pavilion computer tower containing
8 three computer hard drives, a hard drive in a Fujitsu laptop, and an external hard drive, which
9 contained at least one visual depiction that had been shipped and transported in interstate and
10 foreign commerce, by computer, knowing that the production of such visual depiction involved a
11 minor engaging in sexually explicit conduct and that such visual depiction was of such conduct,
12 in violation of Title 18, United States Code, Section 2252(a)(4)(B).

13
14 FORFEITURE ALLEGATIONS: (18 U.S.C. §§ 2253(a)(1) and (a)(3) - Criminal Forfeiture)

15 Upon conviction of the offenses alleged in Counts One or Two, the defendant,
16 REMSEN BENEDICT,
17 shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 2253(a)(1)
18 and (a)(3), all visual depictions described in Title 18, United States Code Section 2252, and all
19 property, real or personal, used or intended to be used to commit or promote the commission of
20 the offenses of conviction, including but not limited to the following items that were obtained
21 from defendant on July 31, 2007:

- 22 a. HP Pavilion computer tower, serial number US11052342, containing three hard
23 drives;

24 //

25 //

26 //

27 //

- b. Fujitsu Laptop, serial number 3PHJH34J1252 with 60gb hard drive; and
c. Smartdisk Firelite external hard drive, 80 gb, serial number JH5Y23.

DATED: January 22, 2008

A TRUE BILL.


FOR PERSON

JOSEPH P. RUSSONIELLO
United States Attorney


BRIAN J. STRETCH
Chief, Criminal Division

(Approved as to form: 
AUSA Barton